THE HON'BLE SRI JUSTICE C.V. RAMULU

Tuesday, 24th October,2006

W.P.Nos.29484 and 29560 of 1995

W.P.No.29484/95

Between :

K. Ramulu … Petitioner

and

State of A.P., rep. by its
Secretary, Industries
Department, Secretariat,
Hyderabad & others … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.Nos.29484 and 29560 of 1995

ORAL ORDER:

In these two Writ Petitions, common questions of fact and law arise for consideration; therefore, they are being disposed of by this common Order.

Petitioners earlier filed Writ Petition No.18123 of 1988 before this Court complaining that respondents were trying to retrench them from the service of the Andhra Pradesh Industrial Infrastructure Corporation Limited, without prior notice and contrary to Section 25-F of the Industrial Disputes Act,1947. The said Writ Petition was disposed of by an Order dated 18-11-1991 directing the respondents not to retrench or discontinue the services of the petitioner without complying with the provisions of Section 25-F of the Act and further giving liberty to the petitioners to make a representation to the respondents to regularize their services and also to pay equal salary to them on par with regular employees and on such representation, the respondents were directed to consider the same in accordance with law.

It appears that in pursuance of the said order, petitioners have made a representation on 3-2-1992. The same was considered and Orders dated 11-10-1995 were passed by the 3rd respondent regularizing the services of the petitioners with effect from 11-10-1995 and putting them on regular pay scale.

Having not satisfied with the regularization and putting them on regular pay scale from 11-10-1995, petitioners filed the present Writ

Petitions seeking regularization of their services from the date of their initial appointment or at least from the date of disposal of the previous Writ Petition (W.P.No.18123 of 1988) on 18-11-1991.

Admittedly, the petitioners were initially engaged as N.M.Rs on daily wage basis. In the counter, it is asserted that the cases of the petitioners were considered as per the terms of G.O.Ms.No.212, Finance and Planning Department, dated 22-4-1994 and they are entitled for regularization of their services only after completion of five years of service by 25-11-1993 and as and when regular vacancies arise. The respondents have considered the cases of the petitioners in right perspective in the light of G.O.Ms.No.212, dated 22-4-1994. I am of the opinion that the petitioners have not made out any case for interference of this Court under Article 226 of the Constitution of India. The petitioners are not entitled for the relief as sought for by them. The Writ Petitions are devoid of merits and is liable to be dismissed.

Accordingly, the Writ Petitions are dismissed. No order as to costs.

24-10-2006

prk